

“The City With a Heart”

Larry Franzella, Mayor
Ken Ibarra, Vice Mayor
Rico E. Medina, Councilmember
Irene O’Connell, Councilmember
Jim Ruane, Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

October 23, 2007

7:00 p.m.

Meeting location: **Senior Center, 1555 Crystal Springs Road, San Bruno, CA.**

1. CALL TO ORDER: THIS IS TO CERTIFY THAT the San Bruno City Council met in regular session on October 23, 2007 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

Mayor Franzella thanked the San Bruno Garden Club for the beautiful flower arrangement.

2. ROLL CALL/PLEDGE OF ALLEGIANCE: Presiding was Mayor Franzella with Vice Mayor Ibarra and Councilmembers Ruane, Medina and O’Connell in attendance. Recording by Clerk Bonner. **City Attorney Thompson** led the Pledge of Allegiance.

3. ANNOUNCEMENTS:

Mayor Franzella announced the Project Pride Committee Plans for the Annual Halloween Parade at the Shops at Tanforan Beginning at 3:30 p.m. on October 31.

4. PRESENTATIONS:

a. **Mayor Franzella** presented a Proclamation Declaring October as National Breast Cancer Awareness Month and October 19th as National Mammography Day. **Councilmember O’Connell** received the proclamation and urged everyone be examined.

b. **Mayor Franzella** presented a Proclamation Declaring October 23rd to 31st as “Red Ribbon Week” in the City of San Bruno to **Chief Telford**.

c. **Mayor Franzella** presented a Proclamation Declaring the month of October as 4-H Month. Members of 4-H received the award and explained what 4-H does.

b. **Mayor Franzella** presented a Proclamation of Congratulations to Lullaby Lane for their Sixty Years in San Bruno and Barry Gevertz from Lullaby Lane received the proclamation.

5. REVIEW OF AGENDA: No changes.

6. APPROVAL OF MINUTES: Special Council Meeting of October 9, 2007 and Regular Council Meeting of October 9, 2007, approved as submitted.

7. CONSENT CALENDAR:

Alan Lubke, Fleetwood Dr. requested each item on the Consent Calendar discussed separately.

a. **Approve:** Payroll of September 30, 2007.

M/S Ruane/Ibarra to approve and passed with all ayes.

b. **Approve:** Accounts Payable of October 1, 2007.

M/S Ruane/Medina to approve and passed with all ayes.

c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated September 30, 2007.

M/S Ibarra/Ruane to approve and passed with all ayes.

d. **Waive:** Second Reading and Adopt Ordinance Repealing Section 9.20.030 "Fires" and Adding New Section 9.20.030, "Fires and Barbecues" To Chapter 9.20 (Use Regulations) to Title 9 (Parks and Recreation) of the San Bruno Municipal Code.

M/S Medina/Ibarra to approve and passed with all ayes.

Alan Lubke, Fleetwood Dr. asked the Mayor to ask if there were public comments on each of the items, which the Mayor said he had asked.

e. **Adopt:** Resolution Authorizing the Closure of Glen Avenue for Annual Tree Lighting Event December 9, 2007, 5:00 to 10:00 p.m.

M/S Medina/Ruane to approve and passed with all ayes.

f. **Adopt:** Amended Resolution Authorizing the City Manager to Execute FY 2007-08 Annual Purchase Order Contracts for Traffic Signal and Street Light Maintenance and Repairs and for Emergency Water and Sewer Repairs.

Alan Lubke, Fleetwood Dr. asked what the amendment to the resolution was.

City Manager Jackson said there was a small error in the resolution approved at the last meeting involving the second place bidder to be awarded the contract for the emergency street light repairs.

M/S Ruane/Medina to approve and passed with all ayes.

8. PUBLIC HEARINGS: None.

9. CONDUCT OF BUSINESS:

a. Receive Presentation on Quarterly Financial Report as of September 30, 2007 for the 2007-08 General Fund, Special Revenue Funds, and Enterprise Funds Budget.

Finance Director O'Leary gave an overview of the quarterly financial report.

Alan Lubke, Fleetwood Dr. asked about the amount of revenue collected through the parking tax? He also asked for a discussion on collecting those taxes.

Finance Director O'Leary said this is included under business taxes, which total \$851,000. He said for this fiscal year there has not been any payment on the airport parking tax because payment is due thirty days after the quarter; hence, no revenue is included in the \$851,000. He said they are current in the collection of the tax.

b. Adopt Resolution Approving First-Quarter Budget Amendment for the 2007-08 General Fund, Special Revenue Funds, and Enterprise Funds Budget.

Finance Director O'Leary reviewed the first-quarter budget amendment and highlighted changes.

Alan Lubke, Fleetwood Dr. asked if operating funds were being moved to capital improvements? **Mayor Franzella** said it is technology funds being moved for capital improvement in that department.

Councilmember Ruane introduced the resolution for adoption and passed with a unanimous vote.

c. Adopt Resolution Confirming Proclamation of Existence of Public Emergency and Ratifying City Manager's Immediate Expenditure of Public Money to Safeguard, Life, Health or Property or Essential Public Services.

City Manager Jackson reminded Council of a previous action made giving her authority to act in an emergency situation. She said this would be the first of such action until the situation is entirely closed.

Engineer Davis summarized the staff report and explained the situation in the 1400 block of Claremont Drive.

Vice Mayor Ibarra referenced the \$55,000 in the staff report and asked if we are getting a contribution from the contractor. **Engineer Davis** said we are in the best position to move forward and accomplish this repair work while collecting evidence and evaluating all the circumstances. He said we are looking for others to share the cost of this repair.

Vice Mayor Ibarra asked if this was a blessing in disguise. **Engineer Davis** said staff has been diligent to minimize the risk the City may have with future problems.

Councilmember Medina asked if they would be seeking other folks to help offset the \$55,000? He asked if we would go back to recover staff time and the other incidents. **Engineer Davis** said all staff time has been being tracked/logged in order to define what the direct costs were so they could have a total number to seek participation. **Councilmember Medina** questioned could and **Engineer Davis** said they would.

Councilmember Ruane introduced the resolution for adoption and approved with a unanimous vote.

d. Receive Summary Report on the Progress and Schedule for Implementation of Traffic Calming Improvements in Four Neighborhoods.

Interim Public Works Director Chambers gave an update on the traffic calming measures. She said there is a website and staff will be updating this website each time there are significant completions.

Mayor Franzella said the Bellaire one-ways were a very good idea and he wanted to make sure everyone affected was notified. He also asked about the site distance study at Piedmont. **Interim Public Works Director Chambers** said two site studies have been done and the one for Piedmont and London Court on Crestmoor will be considered by the TSPC at their November meeting. There are two options under consideration, either a stop sign or removal of some parking. The Lomita issue is scheduled for the December TSPC meeting. **Mayor Franzella** asked if the neighbors affected are being notified and **Interim Public Works Director Chambers** concurred.

Vice Mayor Ibarra asked if speed bumps have different heights? **Engineer Davis** said the product comes in different sizes and San Bruno has ordered a 4" cushioned bump.

Mayor Franzella thanked staff and said he looked forward to future updates.

e. Adopt Resolution Approving Joint Use Agreement Between the City of San Bruno and the San Bruno Park School District.

Mayor Franzella noted there was a change of the effective date from October 1 to September 1, 2007 on Page 1 and on the last page of the agreement.

Alan Lubke, Fleetwood Dr. asked what are the changes? **Mayor Franzella** said there were no changes; it is just a renewal of an expired contract.

Councilmember Ruane introduced the resolution for adoption and approved with a unanimous vote.

f. Adopt Resolution Authorizing the City Manager to Execute a Contract Amendment to the Agreement with Parasun Technologies, Inc. Extending the Term for Internet and Digital Phone Support Services.

Cable Director Gyaltsen gave an overview of the contract amendment.

Councilmember Medina asked if the City was having a survey done for the internet users. **Cable Director Gyaltsen** said there was a survey conducted of the general services provided by

the cable company. **Councilmember Medina** asked what the findings were of the internet survey. **Cable Director Gyaltsen** said the survey has not been completed and they had about another week to go. **Councilmember Medina** asked if this might be good information before going into another agreement? **Cable Director Gyaltsen** said the overall response is favorable and the community appreciates the value they receive from San Bruno Cable. **City Manager Jackson** said the lead-time for using a survey takes a great deal of time to evaluate those proposals and that was not the purpose of this survey. It was a general overview of the quality and level of satisfaction. **Councilmember Medina** said he felt before we enter into a contract, if there is data out there, we need to understand it to see what our customers want. He asked if logs were kept on both sides from them as well as us? **Cable Director Gyaltsen** said logs are kept on both sides. Councilmember Medina asked if a customer is told they will be called the next day, are they? **Cable Director Gyaltsen** said yes. **Councilmember O'Connell** asked if Parasun took care of a customer problem directly over the phone/twenty-four hour service? **Cable Director Gyaltsen** concurred. **Councilmember Medina** posed the question because he has heard differently.

Councilmember Medina asked the price difference between Parasun and going with a different provider? **Cable Director Gyaltsen** said there is about a 33% difference, which is passed on to our customers.

Vice Mayor Ibarra said about two years ago there was a discussion about Parasun and renewing their contract and Council directed staff to canvas locally, closer in the State. He asked if we are contracting with the best support service? **Cable Director Gyaltsen** said in his opinion we are. **Vice Mayor Ibarra** asked if the purpose of three individual one-year contracts, is to give the opportunity to change? **Cable Director Gyaltsen** said yes, it gives him the opportunity to review and make decisions at that time.

Vice Mayor Ibarra introduced the resolution for adoption and passed with a unanimous vote.

10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Alan Lubke, Fleetwood Dr., questioned how Measure F was placed on the ballot, he believed without public comment. **Mayor Franzella** said Measure F was never a measure to fund a new library and there was plenty of public discussion. He said it was a proposed general sales tax measure and the City Council moved forward through public hearings and the City Clerk could provide that information. He said it is now up to the voters. **Alan Lubke** raised the question regarding the Brown Act and **Mayor Franzella** said he could take that up with the City Attorney.

Jennifer Blanco, Tulare Dr., representing the Culture and Arts Commission and the International Latino Film Festival, thanked the City of San Bruno for their support of the festival and read a statement from the principal of Capuchino.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: None.

12. COMMENTS FROM COUNCIL MEMBERS:

Councilmember O'Connell said she received correspondence from a concerned resident on 7th Ave. in the Bellaire regarding the possibility of flooding because of the lack of dredging for the Cupid Row Channel. She asked that a letter be written to the Board of Supervisors and our State Legislators. She also suggested having some representation from City Council on the Board of

Supervisors to have an oversight committee to move this along. **Mayor Franzella** said in the past we have written to Tom Lantos, he asked staff if that could be prepared to move the process along.

Vice Mayor Ibarra urged everyone to vote.

13. CLOSED SESSION:

Closed Session for the Purpose Providing Direction to City Attorney Regarding City of San Bruno v. Morales, Neuwelt, Superior Court of San Mateo, Civ. #458447 and Consolidated with Case # 459915. (Gov't Code Section 54956.9(a)).

Mayor Franzella announced there would be no reportable information from the closed session and asked those affected by the fires and those fighting the fires be kept in our thoughts and prayers.

14. ADJOURNMENT: There being no further business to transact, the meeting concluded at 8:21 p.m. The next City Council Meeting will be held on November 13, 2007 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road.

Respectfully submitted for approval
at the regular City Council Meeting of
November 13, 2007

Carol Bonner, City Clerk

Larry Franzella, Mayor